

Remarks

In the Office Action, claims 1-8, 10-13, 18-21, 28 and 30-34 were provisionally rejected in the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 5-10, 12-15 and 18-20 of copending Application No. 10/721,929. In addition, claims 22 and 25-27 were provisionally rejected in the grounds of non statutory obviousness-type double patenting as being unpatentable over claims 5-10, 12-15 and 18-20 of copending Application No. 10/721,929 in view of Ullman et al. (US Pub. 2002/0067753).

Applicant has filed with this Response, a terminal disclaimer in compliance with 37 C.F.R. 1.321(c). Accordingly, the rejection to claims 1-8, 10-13, 18-21, 22, 25-28 and 30-34 based on nonstatutory obviousness-type double patenting has been overcome and should be withdrawn.

As such, claims 1-8, 10-13, 18-21, 22, 25-28 and 30-34 are in condition for allowance and notice to that effect is requested.

The Commissioner is authorized to charge any additional fees associated with this paper or credit any overpayment to Deposit Account No. 11-0982.

Respectfully submitted,

KINNEY & LANGE, P.A.

Date:

7/30/08

By:



David R. Fairbairn, Reg. No. 26,047

THE KINNEY & LANGE BUILDING

312 South Third Street

Minneapolis, MN 55415-1002

Telephone: (612) 339-1863

Fax: (612) 339-6580

DRF:TDM:owk